

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION - CINCINNATI

HEATHER PARKER,	:	Case No. 1:20-cv-364
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
TARGET CORPORATION, et al.,	:	
	:	
Defendants.	:	
	:	

---

**ORDER GRANTING DEFENDANT TARGET CORPORATION'S MOTION TO  
TAX COSTS (Doc. 41)**

---

This matter is before the Court on Defendant Target Corporation's Motion to Tax Costs (Doc. 41). Plaintiff filed a response in opposition to Target's Motion (Doc. 43), to which Target replied (Doc. 44). Thus, the motion is fully briefed and ripe for review. For the following reasons, Defendant's Motion to tax costs is **GRANTED**.

Pursuant to Fed. R. Civ. P. 54(d) and 28 U.S.C. § 1920, the prevailing party is entitled to recover reasonably necessary costs incurred in connection with the litigation. The court has the discretion to award costs. *See Andretti v. Borla Performance Industries, Inc.*, 426 F.3d 824, 86 (6th Cir. 2005).

Plaintiff first argues that costs are not warranted because the basis of subject matter jurisdiction in this case is diversity jurisdiction, pursuant to 28 U.S.C. § 1332. However, Plaintiff cites no case law to support this contention. Rather, this Court has awarded costs, pursuant to Fed. R. Civ. P. 54(d), in cases where the basis of subject matter jurisdiction

was diversity jurisdiction. *See Hildebrandt v. Hyatt Corp.*, No. 1:02-CV-0003, 2006 WL 8441512 (S.D. Ohio Aug. 24, 2006). Thus, the Court is unpersuaded by Plaintiff's argument.

Next, Plaintiff argues that, even if costs are warranted, Target failed to sufficiently justify each cost it seeks. Again, the Court is unpersuaded. Target sufficiently described the nature of the costs, the date in which Target was charged, and the amount of the cost. Target also provided documentation of each cost in question. The Court further finds the costs sought to be reasonable and necessary.

For the foregoing reasons, Target's Motion to tax costs against Plaintiff is **GRANTED**. Plaintiff shall **REIMBURSE** Target for the costs accumulated during the course of this litigation, equally \$2,028.35. Lastly, this case is **TERMINATED** from the Court's docket.

**IT IS SO ORDERED.**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO

By: *Matthew W. McFarland*  
JUDGE MATTHEW W. McFARLAND